



Australian Government

Assessment Requirements for CHCMED004 Prepare for mediation

Release: 1

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Modification History

Not applicable.

Performance Evidence

Evidence of the ability to complete tasks outlined in elements and performance criteria of this unit in the context of the job role, and:

- prepare for at least five different mediations according to organisational policies and procedures
- gather and analyse information that informs the five mediations above, including the following:
 - intake information
 - person's case documentation
 - information from external agencies and professionals
 - information obtained directly from the parties, family, significant others or carers
 - legal documentation.

Knowledge Evidence

Demonstrated knowledge required to complete the tasks outlined in elements and performance criteria of this unit:

- legal and ethical considerations for mediation, and how these are applied in organisations and individual practice:
 - bias
 - codes of conduct and current national standards
 - conflicts of interest
 - discrimination
 - duty of care
 - human rights
 - privacy, confidentiality and disclosure
 - records management
 - rights and responsibilities of workers, employers and people
 - legislation that affects mediation, including:
 - freedom of information
 - types of court orders and other legal parameters that may impact
 - work role boundaries including responsibilities and limitations of the mediator and the roles and functions of support persons, lawyers and other professionals

- work health and safety (WHS)
- principles and function of the mediation preparation process:
 - communication between the participants, exchanges of information and seeking of understanding
 - relationship between the preparation stage and stages of domestic and family violence
- the nature of conflict, including the dynamic of power and violence
- circumstances in which mediation may or may not be suitable
- how to prepare for mediation and assess suitability
- types of information that may need to be gathered and analysed:
 - interviews with parties, family, significant others and carers
 - case and file documentation
 - information from professionals
 - information from service providers
- diverse perspectives on mediation and how these may interact with, and impact on the mediation preparation:
 - attitudes of members within a family
 - variations on the agreed norms and range of behaviours
 - culture in relation to problem-solving and dispute resolution
 - culture in relation to negotiation, concessions and compromise
 - variations in relation to written, spoken and non-verbal communication
 - attitudes towards physical space, venue and time
 - attitudes towards the role of outsiders in dispute resolution
 - attitudes in relation to the role of law, the courts, lawyers and professional advisers
- legal, social, cultural, and economic and context within which the mediation is occurring
- other dispute resolution procedures
- availability of professional, academic, technical, community and educational resources for persons use or referral
- legal, ethical and associated standards that may be applicable if the case were taken further to trial.

Assessment Conditions

Skills must be demonstrated in the workplace or in a simulated environment that reflects workplace conditions.

Assessment must ensure:

- access to facilities, equipment and resources that reflect real working conditions and model industry operating conditions and contingencies
- dispute information and information about the parties involved
- access to organisational standards, policies and procedures
- links to other local service agencies or organisations
- opportunities for engagement with real people undertaking mediation.

Assessors must satisfy the Standards for Registered Training Organisations' requirements for assessors.

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=5e0c25cc-3d9d-4b43-80d3-bd22cc4f1e53>